

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant(s): | M.G. FERNANDEZ et al. | Examiner | Phillip H. Nguyen |
| Serial No. | 10/805,106 | Group Art Unit | 2191 |
| Filed | March 19, 2004 | Docket No. | P19207 |
| TITLE | METHOD, SYSTEM, AND PROGRAM FOR OPTIMIZING CODE | | |

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being transmitted through the USPTO EFS-Web system over the Internet to Phillip H. Nguyen of the U.S. Patent and Trademark Office on July 9, 2008.

_____/David Victor/

David W. Victor

RESPONSE TO NON-FINAL OFFICE ACTION

This paper is submitted in response to a non-final third office action in the above case dated April 14, 2008 ("Third Office Action") in which the Examiner rejected all the claims as anticipated (35 U.S.C. §102) by cited art. Applicants traverse the prior art rejections and submit that all pending claims 1-36 are patentable over the cited art and in condition for allowance for the reasons discussed herein.

The listing of claims begins on page 2.

Remarks/Arguments begin on page 10.